

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JANESSA NOVAK, individually and as
Special Administrator for the Estate of
Lance Novak, deceased, and on behalf of
M.N., and H.N., minor children of the
deceased,

Plaintiff,

v.

Case No.: 21-CV-81

MICHAEL MCILVAIN, in his individual capacity,
HEATHER WHITE, in her individual capacity,
JOSHUA DELONG, in his individual capacity,
TODD LEONARD, M.D., in his individual capacity,
JANE DOES 1-3, in their individual capacities,
DOUGLAS COUNTY, AND MEND CORRECTIONAL CARE,
PLLC.,

Defendants.

**DEFENDANTS MICHAEL MCILVAIN, HEATHER WHITE, JOSHUA
DELONG, AND DOUGLAS COUNTY'S ANSWER TO DEFENDANTS TODD
LEONARD, M.D. AND MEND CORRECTIONAL CARE, PLLC'S CROSS-
CLAIM**

Defendants, Michael McIlvain, Heather White, Joshua DeLong, and Douglas County, by
their attorneys, Crivello Carlson, S.C., submit the following Answer and Affirmative Defenses to
the Defendants Todd Leonard, M.D. and MEnD Correctional Care, PLLC's Cross-Claim dated
July 9, 2021, as follows:

1. Answering paragraph 1, the answering defendants reallege as if set forth herein their
answers, denials, and defenses to the Amended Complaint.
2. Answering paragraph 2, admit.

3. Answering paragraph 3, lack information sufficient to form a belief, therefore deny and put the plaintiff to her proof.
4. Answering paragraph 4, deny.
5. Answering paragraph 5, lack information sufficient to form a belief, therefore deny and put the plaintiff to her proof.
6. Answering paragraph 6, deny.
7. Answering paragraph 7, admit.
8. Answering paragraph 8, lack information sufficient to form a belief, therefore deny and put the plaintiff to her proof.

AFFIRMATIVE DEFENSES

1. These answering defendants reallege as if set forth herein their affirmative defenses to the plaintiff's Amended Complaint.
2. These answering defendants reserve the right to name additional affirmative defenses, as they may become known through further discovery or other investigation in this action.

WHEREFORE, defendants, Michael McIlvain, Heather White, Joshua DeLong, and Douglas County, respectfully request the following relief:

1. for dismissal of defendants Todd Leonard, M.D and MEnD Correctional Care, PLLC's Cross-Claim upon its merits and with prejudice;
2. for the costs and disbursements of this action;
3. for the reasonable actual attorneys' fees pursuant to 42 U.S.C. § 1988; and
4. for such other relief as this Court deems just and equitable.

Dated this 17th day of August, 2021.

CRIVELLO CARLSON, S.C.

Attorneys for Defendants Michael McIlvain,
Heather White, Joshua DeLong and Douglas
County

By: /s/ Andrew C. Goldner

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